



# UNITED STATES PATENT AND TRADEMARK OFFICE

④

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/626,797	07/25/2003	Timothy G. Spielman	330440.00003	1422
27522	7590	09/06/2006	EXAMINER	
SEAN W. GOODWIN 222 PARKSIDE PLACE 602-12 AVENUE S.W. CALGARY, AB T2R 1J3 CANADA			HOMAYOUNMEHR, FARID	
			ART UNIT	PAPER NUMBER
			2132	

DATE MAILED: 09/06/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/626,797	<b>Applicant(s)</b> SPIELMAN, TIMOTHY G.	
	<b>Examiner</b> Farid Homayounmehr	<b>Art Unit</b> 2132	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 25 July 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 July 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

**Claims 1-12** have been examined.

### Information Disclosure Statement PTO-1449

1. No Information Disclosure Statement was submitted by the applicant.

### *Claim Rejections - 35 USC § 102*

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-12 are rejected under 35 U.S.C. 102(b) as being anticipated by Johnson (U.S. Patent No. 5,557,254, dated Sep. 17, 1996).

3.1. As per claim 1, Johnson is directed to a security system for controlling access to a moveable enclosure (abstract), comprising: a lock on the moveable enclosure (Johnson is directed to a security system on a vehicle. Col. 5 line 21 to 43 describes locking and unlocking car doors); a control circuit coupled to the lock (col. 2 line 25-40 describes a control unit installed in the car) and configured to i) receive an entry code (col. 5 lines 22 to 43) and ii) open the lock in response to receipt of the entry code (col. 5 lines 22 to 43); a Global Positioning System device coupled to the control circuit and

Art Unit: 2132

configured to generate latitude and longitude data relating to the moveable enclosure (col.16 lines 1 to 5); and a personal computing device wirelessly coupleable to the control circuit and configured to generate the entry code using GPS latitude and longitude data (col. 3 lines 15-18 describes a central monitoring system that takes control of certain vehicle functions. The central monitoring system is connected wirelessly to the security system installed in the vehicle (col. 2 lines 20-25), and uses GPS data to determine if the vehicle is out of range (claim 1) and issues appropriate control commands accordingly).

3.2. As per claim 2, Johnson is directed to the system of claim 1, wherein the control circuit is further configured to use the latitude and longitude data to determine a physical location of the moveable enclosure, and to open the lock only when the determined physical location is within a predetermined region (col. 16 line 1-4 shows that the longitude and latitude of vehicle location is available at the central monitoring center. Per claims 1 and 2, the central monitoring reacts and sends control signals when the vehicle is out of range (physical location). As indicated above, the central monitoring center can control locking/unlocking the doors, which is one of the control signals available when the vehicle is out of range).

3.3. As per claim 3, Johnson is directed to the system of claim 1, wherein the control circuit includes a clock that is configured to provide data relating to the time (col. 4 lines 47-56), and wherein the control circuit is further configured to open the lock only during

Art Unit: 2132

a predetermined time interval (for example, col. 13 line 14 to 28 describes one of the time based control features disclosed by Johnson).

3.4. As per claim 4, Johnson is directed to the system of claim 1, wherein the control circuit is further configured to erase the entry code after the lock has been opened a single time, such that if the entry code is received a second time, the lock will not be opened (the concept of using a key or entry code only once is well-known in the art as one-time pad. Among several articles discussing the benefits and implementation of one-time pads is Bruce Schneier's "Applied Cryptography", pages 15-17).

3.5. Claims 5-12 are substantially the same as claims 1-4 above. Claim 7 has the added limitation of entering a code by user to open the door, which is disclosed by Johnson in col. 17 lines 18-30.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Farid Homayounmehr whose telephone number is 571 272 3739. The examiner can normally be reached on 9 hrs Mon-Fri, off Monday biweekly.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gilberto Barron can be reached on (571) 272-3799. The fax phone

Art Unit: 2132

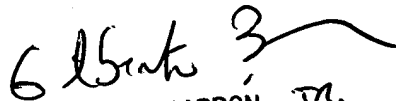
number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Farid Homayounmehr

Examiner

Art Unit: 2132

  
GILBERTO BARRON JR.  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100